

From: Jack Russo
Sent: Thursday, November 21, 2013 3:16 PM
To: luemers.martha@dorsey.com
Cc: Eric Young; Ansel Halliburton
Subject: Re: Ameriprise Financial, Inc., et al v. XimpleWare Corp. - Notice of Ex Parte appearance on Friday, Nov. 22

Categories: Exhibit

I never received any notice of this in accord with our Local Rules here nor can I appear tomorrow morning as I am on a flight for another case in Los Angeles and that cannot be changed at this point as I have meetings there starting at 8am PST. I suggest that you schedule any ex parte for a different date and that you consider the TRO application that we are filing today with the Federal Court here and where we will ask for expedited discovery on a mutual basis as I have been suggesting all along. Please read my proposed Order as I have tried to address the "fairness" issue from your point of view with respect to depositions and other discovery that you would presumably want as part of any Order from any Court on this subject.

Regards,
Jack Russo
Managing Partner
COMPUTERLAW GROUP LLP
www.computerlaw.com

Sent from Windows Mail

From: luemers.martha@dorsey.com
Sent: Thursday, November 21, 2013 2:48 PM
To: [Jack Russo](#)

Dear Mr. Russo,

I have tried to reach you through your office number, but it goes to a general voicemail box. Would you please let me know if XimpleWare plans to appear and oppose Ameriprise's ex parte application?

Regards,

Martha C. Luemers

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